

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
MDL No. 3076
Case No. 1:23-md-03076-KMM

IN RE:
FTX Cryptocurrency Exchange Collapse Litigation

THIS DOCUMENT RELATES TO:

ALL CASES

**PLAINTIFFS' CORRECTED NOTICE OF FILING SUPPLEMENTAL AUTHORITY
IN SUPPORT OF PLAINTIFFS' RESPONSES IN OPPOSITION TO PENDING
MOTIONS TO DISMISS [ECF Nos. 350, 354, 371, 845, 848, 849, 852, 853]**

Plaintiffs give Notice the Eleventh Circuit recently confirmed in *Otto Candies LLC v. Citigroup Inc.* that a plaintiff "... need only plead[] factual content that allows the court to draw the reasonable inference that a defendant knew about the alleged fraud." 2025 WL 1337052, at *8 (11th Cir. May 8, 2025), *see Exhibit A*. The Court underscored: "Those courts requiring a heightened standard for pleading knowledge have gotten it wrong.... [I]n alleging fraud knowledge may be alleged generally." *Id.* at *7. For example, Plaintiffs allege Bank Defendants knew of FTX's underlying fraud by effecting transfers between FTX accounts, siphoning FTX customer wires into Alameda accounts, and extending FTX loans underwritten by customer funds. *See, e.g.*, ECF 779, ¶¶ 156–173, 204, 207, 229–239, 250.

Otto Candies clarifies that these types of specific allegations should not be mischaracterized as the negligent failure to catch "red flags," as Defendants suggest, ECF 822 at 19; ECF 823 at 35, but rather they give rise to the inference that Defendants were generally aware of FTX's misconduct, as sufficient under *Otto Candies* and other applicable law. The Eleventh Circuit concluded that it was important to "take this opportunity to get our house in order."

Dated: May 22, 2025

Respectfully submitted,

By: /s/ Adam Moskowitz

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on May 22, 2025, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: **/s/ Adam Moskowitz**

Adam Moskowitz